

**To:** Mitchell, Stacey[Mitchell.Stacey@epa.gov]; Michaud, John[Michaud.John@epa.gov]  
**From:** Ward, W. Robert  
**Sent:** Mon 8/17/2015 12:08:05 AM  
**Subject:** Fw: Update on AGs/VIPs visit

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**From:** Ostrander, David  
**Sent:** Sunday, August 16, 2015 5:02 PM  
**To:** Grantham, Nancy  
**Cc:** McGrath, Shaun; Harrison, Melissa; Rupp, Mark; Russo, Rebecca; Miullo, Nat; Tyler, Patti; Ruhl, Christopher; Calanog, Steve; Distefano, Nichole; Logan, Paul; Ward, W. Robert; Buhl, Rick; Woolford, James; Hestmark, Martin; Gray, Stuart; Zito, Kelly; Kluesner, Dave; Way, Steven; Williams, Laura  
**Subject:** Re: Update on AGs/VIPs visit

Nancy if you could please contact the AGs per numbers below I would appreciate. I believe all appropriate safety measures are being implemented. There may be restrictions on their access work areas.

Nancy, please remind the AG they need permission from the property owner, Todd Hennis. Steve Way has contact info.

Thanks

Sent from my iPhone

On Aug 16, 2015, at 4:31 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Thanks -- just talked with coast guard safety and they plan to manage safety all day -- assuming we may have 3 parties -- oswer, state ags and ig.

Thx ng

Sent from my iPhone

On Aug 16, 2015, at 4:20 PM, McGrath, Shaun <[McGrath.Shaun@epa.gov](mailto:McGrath.Shaun@epa.gov)> wrote:

Here are the contact numbers.

David: are you comfortable with this plan, particularly regarding safety considerations:

For CO: Roger at 720-245-4689

For UT: Missy Larson at 801-230-9890.

Shaun

Sent from my iPhone

Sent from my iPhone

On Aug 16, 2015, at 4:55 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi All,

We are getting ready to put this in motion for hopefully Tuesday – and need to know who is making the contact with the state AG offices. Patti Tyler, the IC liaison officer, is happy to do that outreach, we would just need to get any contact names in those offices the regions may have.

Thanks

Nancy Grantham (transitioning with Melissa Harrison into the PIO role).

**From:** McGrath, Shaun  
**Sent:** Sunday, August 16, 2015 4:27 PM  
**To:** Ostrander, David  
**Cc:** Harrison, Melissa; Grantham, Nancy; Rupp, Mark; Russo, Rebecca; Miullo, Nat; Tyler, Patti; Ruhl, Christopher; Calanog, Steve; Distefano, Nichole; Logan, Paul; Ward, W. Robert; Buhl, Rick; Woolford, James; Hestmark, Martin  
**Subject:** Re: Update on AGs/VIPs visit

I agree that David should lead these tours. As for the AGs, I intend to be there for that one so if it is getting scheduled for Tues, please let me know ASAP so I can change my plans.

Thx

Sent from my iPhone

On Aug 16, 2015, at 1:28 PM, Ostrander, David

<Ostrander.David@epa.gov> wrote:

With Shaun's blessing, I would like to lead these events. My focus going forward is on these reviews and I would like to lead these. There will be union representation for the employees on-site this week. ORC needs to weigh in on any agency legal representation. I do not intend for the state AGs to have an opportunity to interview any employees, they are there only to see the site. Any requests for interviews outside of EPA programs and IG need to go through OGC and I don't believe that has been done by the states.

Also, counsel advised that the state AGs need permission from the property owner to visit the site. Our access agreement covers EPA and its agents and not other entities.

Please note: in a conversation with Rick Buhl, ARA R8, who worked on the union representation coming down this week, the union HAS NOT been notified of the OSWER review team coming as yet. They will be notified so they can be present during the OSWER reviews with employees, they just need to be notified through proper channels by HQ(or the region?).

Thanks

Sent from my iPad

On Aug 16, 2015, at 12:16 PM, Harrison, Melissa  
<Harrison.Melissa@epa.gov> wrote:

Hey gang,

Nancy is on the ground and working with Nat/Patti on a plan for logistics for visits this week. We have learned that starting Weds there is extensive work being done that will keep the mine from being accessible due to safety concerns. This means we will likely need to make a trip on Tuesday with multiple people including (maybe more) AGs, OSWER and IG. Plus, we know Cong. Tipton has spoken with David about a visit.

We need to identify someone who is best to speak with the VIPs to coordinate. Plus we need decisions on how to work these different groups into combined or separate trips. We've also heard serious staff concerns about being in a position where they would be asked questions without an attorney present. Will we have EPA counsel present? We would like some more guidance on this decision.

I'd also suggest getting someone in for this week who can take the lead on communicating with the VIPs. Nancy, Nat, and Patti have taken on the logistics, but it's really not appropriate for us to be speaking to Congressionals/attorneys.

With all this said, I'm only serving to tee up this conversation for Nancy to move forward.

Thanks!

Melissa